

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF WEST VIRGINIA
AT CHARLESTON

UNITED STATES OF AMERICA

v.

CRIMINAL ACTION NO. 2:13-00272

WILLIAM EDWARD RICHMOND

SUPERVISED RELEASE REVOCATION AND JUDGMENT ORDER
MEMORANDUM OPINION AND ORDER

On April 20, 2017, the United States of America appeared by Joshua C. Hanks, Assistant United States Attorney, and the defendant, William Edward Richmond, appeared in person and by his counsel, David R. Bungard, Assistant Federal Public Defender, for a hearing on the petition on supervised release and amendment thereto submitted by United States Probation Officer Joe Black. The defendant commenced a three-year term of supervised release in this action on March 10, 2016, as more fully set forth in the Judgment Including Sentence Under the Sentencing Reform Act entered by the court on April 14, 2014.

The court heard the admissions of the defendant and the representations and argument of counsel.

For reasons noted on the record of this proceeding, which are ORDERED incorporated herein by reference, the court found that the defendant has violated the conditions of supervised release in the following respects: (1) the defendant committed the state and local offense of driving under the influence which occurred on or about June 6, 2016, in Dunbar, West Virginia, as evidenced by his no contest plea to first offense DUI on September 7, 2016, in Kanawha County Magistrate Court; (2) the defendant failed to submit monthly reports for the months of October and November, 2016; (3) the defendant failed to abide by the special condition that he be incarcerated for four consecutive weekends inasmuch as he reported for incarceration on October 7 and 14, 2016, but failed to report on October 21 and 28, 2016, after which time he absconded supervision and his whereabouts were unknown at the time of the filing of the petition on December 29, 2016; and (4) the defendant traveled to Anniston, Alabama, without permission as evidenced by his arrest there on or about February 13, 2017; all as admitted by the defendant on the record of the hearing and as set forth in the petition on supervised release.

And the court finding, as more fully set forth on the record of the hearing, that the violations warrant revocation of supervised release and, further, that it would unduly depreciate the seriousness of the violations if supervised release were not revoked, it is ORDERED that the supervised release previously imposed upon the defendant in this action be, and it hereby is, revoked.

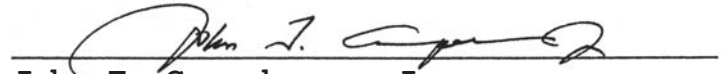
And the court having complied with the requirements of Rule 32(a)(1)(B) and (C) of the Federal Rules of Criminal Procedure, and finding, after considering the factors set forth in 18 U.S.C. § 3583(e), that the defendant should be confined to the extent set forth below, it is accordingly ORDERED that the defendant be, and he hereby is, committed to the custody of the United States Bureau of Prisons for imprisonment for a period of FIVE (5) MONTHS, to be followed by a term of thirty-one (31) months of supervised release upon the standard conditions of supervised release now in effect in this district as promulgated by the Administrative Office of the United States Courts (National Form AO 245B) and the standard conditions as set forth in Local Rule 32.3 and the special condition that he participate in the 9 to 12 month residential recovery program at Recovery Point in Bluefield, West Virginia, where he shall follow the

rules and regulations of the facility. The defendant shall take all steps necessary in order to gain admission into the program by maintaining consistent contact with the facility.

The defendant was remanded to the custody of the United States Marshal.

The Clerk is directed to forward copies of this written opinion and order to the defendant, all counsel of record, the United States Probation Department, and the United States Marshal.

DATED: April 27, 2017


John T. Copenhaver, Jr.
United States District Judge